

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Petition of WorldCom, Inc.)	File No. CGB-94-129
)	
Petition for Declaratory Ruling that West)	
Virginia's Definition of Customer of Record)	
is inconsistent with the FCC's rules)	

**WEST VIRGINIA CONSUMER ADVOCATE DIVISION'S
COMMENTS IN RESPONSE TO WORLDCOM, INC.'S PETITION**

Pursuant to 47 C.F.R. §§ 1.415 and 1.419, and the Commission's April 7, 2004, Public Notice,¹ the Consumer Advocate Division of the Public Service Commission of West Virginia ("WVWVCAD") hereby files comments in response to the petition for declaratory ruling filed with the Commission by WorldCom, Inc. ("MCI") on March 12, 2004.

Rather than address the merits of MCI's petition to the Commission, WVCAD instead joins in support of the motion to hold proceeding in abeyance, filed with the Commission by the Public Service Commission of West Virginia ("WVPSC") on June 10, 2004. WVCAD concurs with the WVPSC's arguments in support of its motion and urges the Commission to grant the relief requested by the WVPSC. Further, WVCAD is aware that MCI has likewise expressed its desire to have the Commission hold its petition in abeyance pending the outcome of proceedings involving the same or virtually identical issues now pending before the WVPSC.

¹ See *I/M/O Petition of WorldCom, Inc. for Declaratory Ruling that West Virginia's Definition of Customer of Record is Inconsistent with the FCC's Rules*, Public Notice, DA 04-962 (rel. April 7, 2004).

For all the foregoing reasons, the Commission should enter an order holding this proceeding in abeyance.

Respectfully submitted,

/s/ Original signed
Patrick W. Pearlman
Deputy Consumer Advocate
The Public Service Commission
of West Virginia
Consumer Advocate Division
723 Kanawha Boulevard, East
Charleston, WV 25301
304.558.0526
WV State Bar No. 5755

Dated: June 11, 2004

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of June, 2004, I caused true and correct copies of the foregoing *AWest Virginia Consumer Advocate Division's Comments in Response to WorldCom, Inc.'s Petition* to be served on all parties listed below by electronic filing.

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Kecia Boney Lewis
Karen Reidy
1133 19th Street, NW
Washington, DC 20036

Richard E. Hitt
Public Service Commission of
West Virginia
P.O. Box 812
Charleston, WV 25323

/s/ Original signed
PATRICK W. PEARLMAN
Consumer Advocate Division
Public Service Commission
of West Virginia
723 Kanawha Blvd., East
Charleston, WV 25301
304.558.0526
WV State Bar No. 5755